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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,100	10/10/2003	Bradley K. Walker	15078-2/5	3046
27526 7590 03/20/2008 HUSCH BLACKWELL SANDERS LLP 4801 Main Street Suite 1000 KANSAS CITY, MO 64112				
EXAMINER				
ZHONG, JUN FFI				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/684,100

Applicant(s)

WALKER ET AL.

Examiner

JUN FEI ZHONG

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26, 28 and 29 is/are pending in the application.
4a) Of the above claim(s) 24-26 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-23, 28-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date 3/12/2004
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I, claims 6-23, 28, and 29 in the reply filed on 1/14/2008 is acknowledged. The traversal is on the ground(s) that Group II and Group III are not independent and distinct from the claims of Group I.

With respect to Group II, the traversal is persuasive. Restriction requirement for Group II, claims 1-5, have been withdrawal.

With respect to Group III, claims 24-26 are drawn to a graphical user interface, classified in class 715, subclass 700. The traversal is not found persuasive because these inventions are independent or distinct and the inventions have different classification.

The requirement is still deemed proper and is therefore made FINAL.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 3/12/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

3. The drawings are objected to because Fig. 3A-3C are too dark. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing

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sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 5-6, 10, 12-13, 15-23, 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Abrams (Patent US # 7319720).

As to claim 1, Abrams discloses a method for providing one or more interactive high definition video images over a network (Fig. 1, 10, and 12) comprising:

providing a high resolution display device (e.g., monitor 172) (see col. 6, lines 36-40; col. 35, lines 34-56; Fig. 1, 15);

providing a personal computing device (e.g., computer 130) (see col. 5, line 59-col. 6, line 15; Fig. 1);

providing a content distribution device (e.g., computer 182 or conversion block 260) (see col. 6, lines 56-67; col.19, lines 7-30; Fig. 1, 2);

providing a cut and editing station (e.g., block 250; Fig. 2);

wherein said cut and editing station receives and processes high definition content to provide digital high definition files for transfer to said content distribution device (see col. 15, line 49-col. 18, line 35);

wherein said content distribution device receives said digital high definition files, compresses and either streams or forwards, through IP-based file transfer methods, said digital high definition files as high definition video for distribution to said personal computing device (e.g., computer devices communicate via Internet 180) (see col. 6, lines 56-67; col.19, lines 7-30; Fig. 1, 2);

wherein said personal computing device displays said high definition video on said high resolution display device (see col. 35, lines 34-56; Fig. 1, 15);

wherein said personal computing device, said content distribution device and said cut and editing station are connected to the network (e.g., Internet 180) (see col. 6, lines 56-67).

As to claim 10, Abrams discloses a method in a computing network environment for providing high definition content on a networked personal computing device (Fig. 1, 10, and 12), comprising:

digitizing a high definition feed (e.g., analog to digital conversion block 230) (see col. 11, line 26-col. 12, line 4; Fig. 2);

providing one or more digital high definition files from said digitized high definition feed (e.g., sending to block 250 for digital to digital conversion) (see col. 15, lines 49-57; Fig. 2);

optimizing the compression of said one or more digital high definition files (e.g., at block 250 video converting to different format) (see col. 16, lines 4-62);

creating one or more MPEG files from said compressed digital high definition files (see col. 20, lines 1-27);

transferring said one or more MPEG files to a content distribution system, via the computing network (e.g., Internet 180) (see col. 6, lines 56-67; col.19, lines 7-30; Fig. 1, 2);

receiving on the networked personal computing device said one or more MPEG files for display on a high resolution display (e.g., monitor 172) (see col. 6, lines 36-40; col. 35, lines 34-56; Fig. 1, 15).

As to claim 15, Abrams discloses a method in a computing network environment for providing a high definition content on a networked personal computing device, comprising:

receiving a high definition content feed (see col. 11, line 26-col. 12, line 4; Fig. 2);
optimizing compression of said high definition content feed for the networked personal computing device (e.g., at block 250 video converting to different format) (see col. 16, lines 4-62);

providing said high definition content feed to a networked distribution device (e.g., Internet 180) (see col. 6, lines 56-67; col.19, lines 7-30; Fig. 1, 2);

streaming said high definition content from said networked distribution device to the networked personal computing device for rendering on a high definition display (e.g., monitor 172) (see col. 6, lines 36-40; col. 35, lines 34-56; Fig. 1, 15).

As to claims 6 and 28-29, they contain the limitations of claim 15 and are analyzed as previously discussed with respect to claim 15 above.

As to claim 2, Abrams discloses a method as recited in claim 1, wherein distribution of said high definition video from said distribution device can occur either on demand by said personal computing device or in advance of a request through an automated distribution process (e.g., streaming) (see col.19, lines 7-30; Fig. 1, 2).

As to claim 3, Abrams discloses a method as recited in claim 1, wherein the network is an Internet protocol network (e.g., Internet) (see col. 6, lines 56-67).

As to claim 5, Abrams discloses a method as recited in claim 1, wherein said high resolution display device is a liquid crystal display that supports 1920 by 1200 pixel resolution (see col. 35, lines 46-55; Fig. 15).

As to claim 12, it contains the limitations of claim 8 and is analyzed as previously discussed with respect to claim 8 above.

As to claim 13, it contains the limitations of claim 9 and is analyzed as previously discussed with respect to claim 9 above.

As to claim 16, it contains the limitations of claim 3 and is analyzed as previously discussed with respect to claim 3 above.

As to claim 17, Abrams discloses a method as recited in claim 16, further comprising embedding the high definition content into other multimedia offerings (e.g., based on the conversion format, video data could be standard definition or high definition) (see col. 11, lines 26-55).

As to claim 18, Abrams discloses a method as recited in claim 17, wherein said high definition content is a high definition video (see col.19, lines 7-30).

As to claim 19, Abrams discloses a method as recited in claim 17, wherein said high definition content is a high definition image (see col. 16, lines 4-24).

As to claims 20-21, they contain the limitations of claim 6 and are analyzed as previously discussed with respect to claim 6 above.

As to claims 22-23, they contain the limitations of claim 10 and are analyzed as previously discussed with respect to claim 10 above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams (Patent US # 7319720).

As to claim 4, Abrams discloses the computer systems including personal computer or laptop (see col. 5, lines 16-26). Office notice is taken that Apple power

book computer is a laptop computer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to choose any kind of computer to use in Abrams's system to provide more option to the user.

8. Claims 7-9, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams (Patent US # 7319720) in view of Takeda et al. (Patent # US 5682207).

As to claim 11, Abrams discloses user input devices on the networked personal computing device (see col. 6, lines 26-35).

Abrams does not specifically disclose providing the high definition content in response to a user selection.

Takeda discloses providing said high definition content is in response to a user selection (see col. 6, lines 1-14; col. 8, line 43 through col. 9, line 7; Fig. 4-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have user selecting high definition contents as taught by Takeda to the video distribution system of Abrams in order to provide an image display apparatus which is capable of displaying scaled-down images without lowering the resolution (see col. 2, lines 19-21).

As to claim 7, Abrams discloses playback of said high definition videos (see col. 19, lines 7-30; col. 20, lines 41-59).

Takeda discloses providing said high definition content in response to a user selection (see col. 6, lines 1-14; col. 8, line 43 through col. 9, line 7; Fig. 4-10).

As to claim 8, Abrams discloses a method as recited in claim 7 further comprising, providing standard video content with the interactive high definition video media (see col. 11, lines 42-46; col. 17, lines 49-60).

As to claim 9, Abrams discloses a method as recited in claim 8 further comprising, providing Internet content with the interactive high definition video media (e.g., URL) (see col. 19, line 52-col. 20, line 15).

As to claim 14, Takeda discloses a method as recited in claim 11, wherein said user selection is a thumbnail image of said high definition content (see col. 6, lines 1-14; Fig. 4).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Becker (US Pub #2002/0149617) is cited to teach remote access high definition video.

Schindler et al. (US Patent # 6359636) is cited to teach personal computer for displaying television contents.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jun Fei Zhong whose telephone number is 571-270-1708. The examiner can normally be reached on Mon-Fri, 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son P Huynh/
Primary Examiner, Art Unit 2623

/JFZ/
3/17/2008